

REMARKS

Applicants confirm the election without traverse of the invention defined by the claims of Group I. The non-elected claims have been cancelled without prejudice to their being submitted in a divisional application.

Reconsideration of the rejection of the claims under 35 USC 102(b) as unpatentable over the Lynn patent is respectfully requested.

Lynn teaches a package having two sterile compartments. A first compartment contains a syringe, and the second compartment contains a medical material, such as saline. A portal between the two compartments may be opened by insertion of the syringe whereby the material may be drawn into the syringe. Thus, the device taught by Lynn relates to the withdrawal of fluids from a sterile environment. Lynn does not show a device whereby a sterile syringe may communicate with a non-sterile field and yet retain sterility.

According to the invention, a casing is provided that receives a syringe and maintains its sterility, allows operation of the syringe, and allows sterile communication with a non-sterile field. The syringe may be removed from the casing and passed to a sterile field because the sterility of the syringe has been maintained. Lynn has no such teaching and, in actuality, teaches away from the invention.

The device shown by Lynn is specifically configured such that the syringe is operated to draw in only fluids from the second compartment, which is sterile. If that compartment were not sterile, the tip of the syringe would be contaminated, and it would not be proper to transfer the syringe to a sterile field. In accordance with the claimed invention, however, the sterility of the

Serial No.: 09/623,793

syringe is maintained, and it may be transferred to the sterile field. Accordingly, Lynn would not have led one of ordinary skill in the art to the invention.

It is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding. All necessary extensions of time are requested. A \$110 check for a one-month extension of time (large entity) is enclosed. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,
CLARK & BRODY

A handwritten signature in black ink, appearing to read "Conrad Clark", written in a cursive style.

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May 23, 2003